

Set-top boxes on hold amid encryption row

THE manufacture and procurement of set-top boxes, which will be required when digital migration occurs, has been halted pending the conclusion of the legal battle over the nonencryption of the converters, Parliament heard on Thursday.



© Jacomp123 – 123RF.com

The move will further delay migration from analogue to digital broadcasting, which is required to free up broadband spectrum and boost connectivity.

The Universal Services and Access Agency of SA (Usaasa), which is implementing the digital migration process, addressed a joint meeting of the portfolio committee on communications and telecommunications and postal service.

The agency said it had decided to "err on the side of caution" and suspend the manufacture and procurement of new set-top boxes until the Constitutional Court has ruled on the validity of an alteration to the Broadcasting Digital Migration Policy, which states that statesubsidised set-top boxes should not be capable of encrypting broadcasting signals.

The alteration was introduced by Communications Minister Faith Muthambi and was contested by e.tv, which won its case in the Supreme Court of Appeal in May.

However, Muthambi, who also addressed the committee, told the MPs the migration process would continue with the boxes that are already available, despite the Usaasa decision.

Muthambi accused the Usaasa board of "doing things without engaging the ministry". The Supreme Court of Appeal had not interdicted the rollout of the digital migration process, she said.

SA already lags much of Africa on digital migration and missed last year's International Telecommunications Union deadline of mid-June to switch its signal to digital.

The ANC has been divided over the matter, with the national general council backing encryption and Muthambi opposing it.

E.tv says the state-subsidised set-top boxes should support encryption, and its ability to encrypt future broadcasts is "essential to its business plans".

Muthambi and private broadcaster M-Net have launched a Constitutional Court appeal against the appeal court's finding. The case is set to be heard in February next year.

Muthambi told MPs the department had solid grounds to challenge the ruling and encryption would be tantamount to subsidising e.tv.

Last year, Usaasa announced a list of bidders that each won a piece of the multimillion-rand set-top box tender.

However, Usaasa board member Lungelwa Shandu said it would not be prudent to continue with buying set-top boxes because of the pending Constitutional Court hearing.

The agency would, however, continue to distribute set-top boxes already manufactured.

"We have made a decision to suspend the further manufacturing or placement of orders of the set-top boxes... as we might be found to have embarked on a process that is wasteful and fruitless. However, we are open to engagements to find a lasting solution which is legally defensible," said Shandu.

Mmamoloko Kubayi, chairwoman of the portfolio committee on telecommunications and postal services, said the delays in the digital migration process were affecting the entire telecommunications sector as it awaited the spectrum.

National Association of Manufacturers in Electronic Components secretary-general Adil Nchabeleng said the association supported Usaasa's decision.

"We applaud the decision irrespective of its impact on manufacturers. It's responsible because we do not know what the Constitutional Court ruling will say... but we do hope the minister will withdraw her court challenge to allow digital migration to be concluded soon."

Source: Business Day

For more, visit: <https://www.bizcommunity.com>